

12-21-01

Attorney Docket No.: C1039/7058

BOX 156A

**UTILITY
PATENT APPLICATION
TRANSMITTAL***(Only for new nonprovisional applications
under 37 CFR 1.53(b))*

Attorney Docket No.

C1039/7058

First Named Inventor or Application Identifier

Davis, Heather L.

Express Mail Label No.

EL844453390US

Date of Deposit

December 18, 2001**APPLICATION ELEMENTS***See MPEP chapter 600 concerning utility patent application contents*

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
☐ Statement filed in prior application, status
still proper and desired.
3. ☒ Specification - Total pages 71
59 - pages description
1 - pages abstract
11 - pages claims 98 - Total claims
4. ☒ Drawing(s) (35 USC 113) 12 - Total sheets
☐ Informal ☒ Formal 12 - Total drawings
5. ☒ Oath or Declaration - Total pages
a. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
[Note Box 6 below]
i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Incorporation by Reference
(usable if Box 5b is checked)
The entire disclosure of the prior application,
from which a copy of the oath or declaration is
supplied under Box 5b, is considered as being
part of the disclosure of the accompanying
application and is hereby incorporated by
reference therein. See 19.
7. ☒ Application Data Sheet, See 37 CFR 1.76

ADDRESS
TO:Box Patent Application
Commissioner for Patents
Washington, DC 20231

8. ☐ CD-ROM or CD-R, in duplicate, large table or
Computer Program (Appendix)
9. ☒ Nucleotide and/or Amino Acid Sequence
Submission (if applicable, all necessary)
 - a. ☒ Computer Readable Form (CRF)
 - b. ☒ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper (identical to computer copy)
 - c. ☒ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

10. ☒ Assignment Papers/cover sheet &
documents(s)
11. ☐ 37 CFR 3.73(b) Statement
(when there is an assignee)
☐ Power of Attorney
12. ☐ English Translation of Document *(if applicable)*
13. ☐ Information Disclosure Statement/PTO-1449
☐ Copies of IDS Citations
14. ☐ Preliminary Amendment
15. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
16. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
17. ☐ Request and Certification Under 35 U.S.C.
§122(b)(2)(B)(ii)
18. ☐ Other:

19. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the body of the application, or a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/325,193, filed on June 3, 1999, entitled Use of Nucleic Acids Containing Unmethylated CpG Dinucleotide as an Adjuvant and now pending.

☒ Cancel in this application claims 36-98 before calculating the filing fee.

☐ Amend the specification by inserting before the first line of the specification on page 1, after the title, the following:

--This application is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: , filed on , entitled and now .--

Prior application information: Examiner A. Salimi Group Art Unit: 1648.

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

20. CORRESPONDENCE ADDRESS

Correspondence address below

CUSTOMER NUMBER:



23628

OR

ATTORNEY'S NAME	Helen C. Lockhart, Reg. No. 39,248				
FIRM NAME	Wolf, Greenfield & Sacks, P.C.				
ADDRESS	600 Atlantic Avenue				
CITY	Boston	STATE	MA	ZIP	02210
COUNTRY	USA	TELEPHONE	(617) 720-3500	FAX	(617) 720-2441
20. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED					
NAME	Helen C. Lockhart, Reg. No. 39,248				
SIGNATURE					
DATE	December 18, 2001				

Inventor or Identifier: Health L. Davis et al.

Serial No: Not yet assigned

Filed: Herewith

CHECK BOX, if applicable:

For: **USE OF NUCELIC ACIDS CONTAINING
UNMETHYLATED CpG DINUCLEOTIDE AS AN
ADJUVANT**

☐ DUPLICATE

Fee Calculation Sheet

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
	TOTAL CLAIMS (37 CFR 1.16(c))	35-20=	15 x	\$18	= \$ 270.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	1-3=	0 x	\$84	= \$ 0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$280	= \$
				BASIC FEE (37 CFR 1.16(a))	\$ 740.00
	Total of above Calculations =				\$ 1,010.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				\$
	Assignment Recordation Fee (if any)				\$
	Other Fees (if any).				\$
	TOTAL =				\$ 1,010.00

1. A check in the amount of \$1,010.00 is enclosed.

General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a. ☒ If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ ☒ 1.16 or ☒ 1.17, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b. ☐ The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ ☐ 1.16 ☐ 1.17 or ☐ 1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.



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Attorneys of Record

Docket No. C1039/7058(HCL)
Date: December 18, 2001

Express Mail Label No. EL844453390US

Date of Deposit: December 18, 2001

Attorney Docket No: C1039/7058(HCL)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Davis et al.
Serial No.: Not Yet Assigned
Filed: Herewith
For: USE OF NUCLEIC ACIDS CONTAINING UNMETHYLATED CPG
DINUCLEOTIDE AS AN ADJUVANT
Examiner: Not Yet Assigned
Art Unit: 1648

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

STATEMENT PURSUANT TO 37 CFR 1.821(f)

Sir:

This statement is made pursuant to 37 CFR 1.821(f). Applicants enclose herewith a copy of the Sequence Listing and a computer readable diskette. Applicants' attorney states that the content of the paper copy of the Sequence Listing and the computer readable diskette contain the identical information.

Respectfully submitted,



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Docket No. C1039/7058(HCL)
Date: December 18, 2001
XNDD

InTransCo, Inc.

INTERNATIONAL TRANSLATION COMPANY

TRANSLATIONS FROM AND INTO ALL LANGUAGES PREPARED BY SPECIALISTS

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CERTIFICATION OF TRANSLATION

Title of Translated Document: Certificate of Name Change

Original Language of Translated Document: **German**

The undersigned declares that:

1. I am a professional translator with English as a native language and German as an acquired language. With over thirty years of full-time translating experience in general, business, technical, chemical and related fields.
2. To the best of my knowledge and belief, the attached is a true, accurate and complete English translation of the above-referenced German document.

Date: 1/12/01

Signature: A.M. Russell
A.M. Russell